

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

LISA M. BORELLO

Plaintiff,

v.

ORDER
00-CV-177A

NEW YORK STATE DEPARTMENT OF
CORRECTIONAL SERVICES, ET AL.,

Defendants.

The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). On November 9, 2007, Magistrate Judge Scott filed a Report and Recommendation, recommending that defendant Michael Marshall's motion for summary judgment be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, defendant Michael Marshall's motion for summary judgment is granted.

The case is referred back to Magistrate Judge Scott for further proceedings.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: December 4, 2007